P.R. No. 3236/06
Presented by Shri B.P.Rao
dated 31.12.06

(1)

IN THE HON'BLE HIGH COURT OF JUDICATURE, CHHATTISGARH
at BILASPUR

W.P. 3236/06

SINGLE BENCH

PETITIONER : **Shyam Babu Sahu**
S/o Late Shri. Chainsingh Sahu
Aged about 65 Years,
Retired Driver,
M.P.State Road Transport Corpn.
BILASPUR
Residing at - C/o Shri. G.P.Naidu,
House No. 8/46, Rajendra Nagar,
BILASPUR – 495001 (CG)

VERSUS

RESPONDENTS :
1. State of Chhattisgarh
Through : The Divisional Manager,
Chhattisgarh Infrastructral -
Development Corporation,
G.E.Road, RAIPUR

2. The Managing Director,
Chhattisgarh Infrastructral -
Development Corporation,
G.E.Road, RAIPUR

3. The Divisional Manager,
Chhattisgarh Infrastructral
Development Corporation,
BILASPUR (CG).

RECEIVED-COPY
CLERK to BILASPUR
22/6/06

WRIT PETITION UNDER ARTICLE 226 / 227 OF THE CONSTITUTION OF INDIA FOR THE ISSUANCE OF APPROPRIATE ORDER AND DIRECTIONS IN THE NATURE OF CERTIORARY, MANDAMUS ETC.

32

Writ Petition No.3236 of 2006

5-7-2006

Mr. B.P. Rao, counsel for the petitioner.

Heard on admission.

The main grievance of the petitioner in this writ petition under Article 226/227 of the Constitution of India is that the petitioner is not being paid retiral benefits.

The case of the petitioner is that he was working as Driver in M.P.S.R.T.C. since 1972 and he retired from the service on 24-2-1997, therefore, he is entitled for Provident Fund, Gratuity, Security Deposits, Pension etc., for which he submitted a representation on 26-5-1997. In the year 2005 also i.e. on 7-2-2005 he made a representation, but no dues are being paid to him. On account of absence, the petitioner was removed from the service which was challenged before the Labour Court, Bilaspur and the Labour Court, Bilaspur allowed the claim of the petitioner herein with 75% back wages, same was upheld by the Industrial Tribunal in the appeal filed by the respondents vide order dated 16-12-2004.

Learned counsel for the petitioner submits that therefore, the respondents be directed to decide the representation of the petitioner for providing retiral benefits of the petitioner.

Having heard learned counsel for the petitioner and having perused the petition, the prayer made by learned counsel for the petitioner appears to be just, fair and reasonable. Therefore, without expressing any opinion on merits of the case, the respondents are directed to decide the representation of the petitioner after considering his case, within a period of three months from the date of receipt of a copy of this order, in accordance with law.

With the direction aforesaid, the petition stands disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C. Bhadoo
Judge

Soma